CLASSIFICATION OFFICE DECISION

Title of publication:	0-3.jpg
Other known title(s):	Not stated
OFLC ref:	1300933.026
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	The District Court at Dunedin
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	25 October 2013
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	No notice of decision has been issued

Summary of reasons for decision:

The computer image file shows a female figure kneeling in a pink frilly g-string and pink singlet with white stripes. The focus of the image is her revealed buttocks and genitalia. Because the age of the female figure is uncertain, consideration has been given to whether the publication promotes or supports, or tends to promote or support, the exploitation of young persons for sexual purposes. As the image lacks any features that unequivocally identify the female figure as a child or young person the image does not meet this threshold. However, given that the image is plainly intended for the purpose of sexual arousal, due to the sexualisation of the female figure, a restriction to adult viewers is required.

The Films, Videos, and Publication Classification Act 1993 requires the restriction of publications likely to be injurious to the public good. A restriction to adults places a limit on the freedom of expression, but the availability of the publication to children and young people is likely to be injurious to the public good. The classification is reasonable, demonstrably justifiable and the minimum required to avoid injury by the terms of the New Zealand Bill of Right Act 1990.